

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SONIA I. WAGNER, Surviving Spouse,
herein represented by CORPUZ AND
ASSOCIATES, P.C., as her Attorney-in-Fact,

Civil Action No.:08-CV-11284(GBD)

Plaintiff,

-against-

METROPOLITAN LIFE INSURANCE COMPANY,
UNITED AIR LINES, INC.,
EDWARD WAGNER AND
ELIZABETH WAGNER,

Defendants.
-----X

**SUPPLEMENTAL
AFFIRMATION IN
SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

BENJY M. CORPUUZ, ESQ., hereby affirms the following under penalties of perjury:

1. I am an attorney duly admitted to practice law before the New York State and the United States District Courts, for the Eastern and Southern District s of New York.
2. I am associated with the law firm of CORPUZ AND ASSOCIATES, P.C., attorneys for Plaintiff, Sonia I. Wagner (“Mrs. Wagner”) and, as such, am fully familiar with the facts and circumstances set forth herein.
3. I submit this Supplemental Affirmation in Opposition to Defendants MetLife and UAL’s Motion for Summary Judgment and in further support of Plaintiff’s Motion for Summary Judgment.

EXHIBIT

4. Annex hereto as Exhibit "A" is a certified copy of the Judgment for Dissolution of Marriage of Edward D. Wagner and Susan E. Wagner (which is also part of Exhibit "B" of the Affidavit of Sonia I. Wagner).

Dated: July 30, 2010
Elmhurst, New York

/S/

BENJY M. CORPUZ (BC-2223)
CORPUZ AND ASSOCIATES, P.C.
Counsel for Plaintiff SONIA I. WAGNER
40-35 Hampton St., Unit 2F
Elmhurst, New York 11373
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E-mail Address: attybmc@yahoo.com
Bar I.D. No. BC-2223

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached AFFIRMATION IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT was served via regular Electronic
Case Filing (ECF) on July 9, 2010, upon:

MICHAEL H. BERNSTEIN, ESQ.
JOHN T. SEYBERT, ESQ.
SEDGWICK, DETERT, MORAN & ARNOLD, LLP
Attorneys for Defendant
METROPOLITAN LIFE INSURANCE COMPANY
AND UNITED AIR LINES, INC.
125 Broad Street, 39th Floor
New York, New York 10004
Tel. No. (212) 244-0202
Fax No. (212) 422-0925
[SDMA File #0584-007580]

Dated: July 30, 2010
Queens, New York

_____/s/
BENJY M. CORPUZ (BC2223)

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
WILL COUNTY, ILLINOIS

IN RE THE MARRIAGE OF

SUSAN E. WAGNER,

Petitioner,

-VS-

EDWARD D. WAGNER,

Respondent. BY

FILED

NOV 30 2001

NO. 00 D 947

WILL COUNTY CIRCUIT CLERK

JUDGMENT FOR DISSOLUTION OF MARRIAGE

This matter having come on for hearing on a
Petition of the Petitioner, SUSAN E. WAGNER, by her
attorney, ROBERT M. BOYACK, and Respondent, EDWARD D.
WAGNER, by his attorney, SAMUEL ANDREANO, and the Court
having heard the testimony in open court of the witnesses;
and the Court having considered all of the evidence and now
being fully advised in the premises:

1. The Court has jurisdiction of the parties
hereto and the subject matter hereof.

2. Petitioner and Respondent are residents of the
State of Illinois and have maintained said residence
continuously for 90 days next preceding the filing of the
Petition herein.

Exh. "A"

000436

3. That the Petitioner and Respondent were lawfully married on August 26, 1967 and said marriage was registered at Mokena, Will County, Illinois.

4. That two children were born to the parties as a result of this marriage, namely: EDWARD D. WAGNER, JR., born January 5, 1968, age 33 and ELIZABETH A. WAGNER, born February 13, 1980, age 21. No children were adopted by the parties and Petitioner is not now pregnant.

5. That Petitioner has made proof of the material allegations contained in her Petition for Dissolution of Marriage and the Court determines that said proofs are found to be sufficient as to grounds of extreme and repeated mental cruelty and a Judgment for Dissolution of Marriage should be entered herein.

6. That the parties have entered into a Marital Settlement Agreement concerning the respective rights of each party in and to the maintenance, property, income or estate which either of them now own or hereafter may acquire, which Agreement has been received in evidence and approved by the parties as fair, just and reasonable and presented to the Court for its consideration.

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WHEREFORE, on motion of the attorney for the Petitioner, it is hereby ordered and adjudged:

1. That the parties are awarded a Judgment for Dissolution of Marriage and the bonds of matrimony existing between Petitioner and Respondent are hereby dissolved.

2. That the aforesaid Marital Settlement Agreement of the parties is attached hereto and incorporated into this Judgment for Dissolution of Marriage and made a part hereof; that each and every provision therein shall be binding upon the parties as an Order of Court; that each of the parties shall comply with said provisions and shall execute all necessary documents to effectuate said provisions.

3. The rights of either party as beneficiary or otherwise in and to any contract or policy of insurance on the life of the other party are hereby terminated, and any such contracts or policies of insurance shall hereinafter be payable to the estates of the respective parties, or to such other person or persons as they may hereafter designate as beneficiary thereof.

4. That any claim, demand or interest of the parties in and to each of themselves, whether past, present

or future, and in and to the property of the other, whether real, personal or mixed, of whatsoever kind and nature and wheresoever situated, including, but not limited to, homestead, maintenance, succession and inheritance arising out of the marital relationship or any other relationship existing between the parties hereto, except as expressly set forth in the Marital Settlement Agreement, is forever barred and terminated.

5. This Court expressly retains jurisdiction of this cause for the purpose of enforcing all of the terms of this Judgment for Dissolution of Marriage, including all of the terms of the Marital Settlement Agreement.

DATED: 11/30/01

ENTER: [Signature]

Judge

ROBERT M. BOYACK
Attorney for Petitioner
3104 West Glenwood Avenue
Joliet, Illinois 60435
(815) 744-7900
#00266108

CERTIFICATION

I, PAMELA J. MCGUIRE, CLERK OF
THE 12TH JUDICIAL CIRCUIT, WILL
COUNTY, ILLINOIS, CERTIFY THIS
TO BE A TRUE COPY OF AN
ORIGINAL RECORD OF THIS CIRCUIT
COURT.

SIGNED: Pamela J. McGuire

CLERK

DATE

5-11-10



Will County Court House, 14 W. Jefferson Street, Joliet, IL 60432

PAULINA J. MCGUIRE
CLERK OF THE TWELFTH JUDICIAL CIRCUIT COURT
WILL COUNTY, ILLINOIS 3456452

WILL COUNTY COURT HOUSE, 14 W. JEFFERSON STREET, JOLIET, IL 60432

NEW LENOX IL 60451-0000
8003 DELANEY ROAD
WASHER SUSAN E
JANET MCGUIRE

1001 WASHER SUSAN E
JOLIET, ILL 60432-4949

Item	Description	Qty	Unit Price	Total
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1003	1003 WASHER SUSAN E	1	9.50	9.50
1004	1004 WASHER SUSAN E	1	9.50	9.50
1005	1005 WASHER SUSAN E	1	9.50	9.50
1006	1006 WASHER SUSAN E	1	9.50	9.50
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1008	1008 WASHER SUSAN E	1	9.50	9.50
1009	1009 WASHER SUSAN E	1	9.50	9.50
1010	1010 WASHER SUSAN E	1	9.50	9.50
1011	1011 WASHER SUSAN E	1	9.50	9.50
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1100	1100 WASHER SUSAN E	1	9.50	9.50

Batch 0511-03 Date 8/11/2010 14:10/00/10

Deputy Clerk LLOY